

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 1-2, 8-13, 19-39 and 42 remain pending.

Claims 39 and 40 were rejected under 35 USC 102(3) as being anticipated by Marrs. Applicant respectfully traverses this rejection. However, to advance prosecution claim 39 has been amended to incorporate the limitations of dependent claims 40 and 41, claims 40 and 41 have been canceled, and claim 42 has been re-written in independent form. It is therefore respectfully submitted that the Examiner's rejection based on Marrs has been mooted.

Claims 1, 2, 8-13 and 19-42 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over certain claims of copending Application No. 10/926,003. To advance prosecution without prejudice, a Terminal Disclaimer with respect to Application No. 10/926,003 is submitted herewith. It is therefore respectfully requested that the double patenting rejection be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance and an early Notice to that effect is earnestly solicited.

MIWA et al
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Respectfully submitted,

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